

**BEFORE THE LAND USE HEARINGS EXAMINER
FOR CLARK COUNTY, WASHINGTON**

Regarding an application by Vintage View LLC for a) **FINAL ORDER**
preliminary plat and associated reviews for a 30-lot subdivision) **PUD 2003-00010**
and planned unit development on a 8.36-acre site at the east) **PLD 2003-00094¹**
end of Leonard Road in unincorporated Clark County, WA) **(Vintage View)**

A. SUMMARY

1. The applicant requests approval to divide an approximately 8.36-acre site into 30 lots, five open space/landscaping/habitat mitigation tracts and a private street easement or tract as a planned unit development (“PUD”). The site is located at the eastern terminus of Leonard Road north of Camas. The legal description of the site is tax lot 7 (123833), T1N-R3E, WM, Clark County (the “site”). The site and surrounding properties are zoned R1-10 (Single-Family Residential, 10,000 square foot minimum lot size).

a. Lot sizes will range from about 4300 square feet to 7500 square feet. A new single-family attached home (half of a duplex town home) will be built on each lot.

b. The applicant will extend Leonard Road to the site as a public road, terminating it in a one-way roundabout. The applicant proposes to extend a private loop street into the site from Leonard Road to serve each proposed lot. The private road will be established in a 30- to 38-foot wide tract. The applicant also proposes to improve Leonard Road off-site to the west to provide a minimum 20-foot wide road surface with a curb and 5-foot sidewalk on the north side, subject to a shoreline development and habitat permits.

c. The applicant proposes to collect and treat storm water from impervious areas of the site before releasing it directly into Round Lake southwest of the site.

d. The site is currently vacant. There is a stream and associated wetlands near the north boundary of the site. The applicant will preserve these features within a 2.37-acre common open space tract. The applicant will create additional an additional 0.68-acre tract for habitat mitigation along the west and south edges of the site and an additional 0.95-acre open space tract at the southeast corner of the site. Smaller landscape tracts are proposed within the Leonard Road turnaround and within the internal loop road. The applicant proposes to improve the larger open space areas with pedestrian trails and amenities. Proposed trails will connect with trails to the southeast and northeast of the site.

e. The City of Camas will provide domestic water and sanitary sewer service to each lot.

¹ This decision also addresses SEP2003-00141, HAB2003-00292, EVR2003-00100, ARC2003-00111 and related road modifications.

2. The county issued a Determination of Nonsignificance (“DNS”) for the subdivision pursuant to the State Environmental Policy Act (“SEPA”). That determination was not appealed.

3. Hearing Examiner Larry Epstein (the “examiner”) conducted a public hearing about the application. County staff initially recommended that the examiner deny the applications, because the applicant failed to show that adequate road circulation exists or will be provided in the area. See the Development & Environmental Review Staff Report and Recommendation to the Hearings Examiner dated July 28, 2004 (the “Staff Report”). However, after the applicant volunteered to improve the off-site section of Leonard Road, County staff changed their recommendation to conditional approval. The applicant accepted recommended findings and conditions with certain exceptions. Four neighbors testified orally and/or in writing with concerns about and objections to the application. Other persons testified in writing. Contested issues in the case include the following:

a. Whether area roads can accommodate additional traffic generated by the proposed development without causing hazards;

b. Whether the applicant should be required to extend Leonard Road east of the site;

c. Whether construction of improvements to Leonard Road will impact the habitat and shoreline areas associated with Round Lake;

d. Whether construction of improvements to Leonard Road will impact fences on abutting properties;

e. Whether adequate sight distance can be provided at the intersection of Leonard Road and SR 500;

f. Whether additional archaeological review is required on the site; and

g. Whether the proposed trail system will encourage trespass onto adjacent properties.

4. Based on the findings provided or incorporated herein, the examiner concludes that the applicant sustained the burden of proof that the applications for the PUD, preliminary subdivision plat and associated permits do or can comply with the applicable approval standards. Therefore the examiner approves the applications, subject to the conditions at the end of this final order.

B. HEARING AND RECORD HIGHLIGHTS

1. The examiner received testimony at the public hearing about these applications on August 12, 2004. That testimony and evidence, including a videotape of the public hearing and the casefile maintained by the Department of Community Development (“DCD”), are included herein as exhibits. A list of the exhibits is attached to and

incorporated into this final order. The exhibits are filed at DCD. The following is a summary by the examiner of selected testimony and evidence offered at the hearing.

2. County planner Michael Uduk summarized the Staff Report and showed photographs of the site. Exhibit 32. He noted that the City of Camas recently annexed the site and surrounding area. However the County will review the preliminary plat pursuant to a Memorandum Of Understanding (“MOU”) between the County and the City. He noted that the applicant submitted additional evidence addressing the concerns raised in the Staff Report. In addition, the applicant volunteered to improve the off-site section of Leonard Road to minimum County standards. Exhibit 28. Therefore he recommended approval of the applications subject to the conditions of approval in the Staff Report as modified by Exhibit 37.

a. He noted that SR 500 (Everett Road) is subject to WSDOT jurisdiction. WSDOT did not submit any comments about the proposed development.

b. He testified that adequate fire flows are available to serve the proposed development, based on conversations with City of Camas staff.

3. Attorney Randy Printz testified for the applicant and summarized the proposed development.

a. He agreed that the applicant is willing to improve the off-site section of Leonard Road to provide a 20-foot paved road section, a 5-foot paved walkway and an extruded curb between the walkway and the travel section. He requested the examiner modify condition A-2 to that effect.

i. The applicant will widen the existing roadway by five to seven feet within the existing public right of way. The applicant will construct the majority of the improvements on the north side of the road in order to minimize impacts to the critical areas associated with Round Lake. The applicant will need to obtain a Shoreline Permit for construction of the proposed stormwater line and improvements to the off-site section of Leonard Road, which are located within the shoreline area of Round Lake. The applicant submitted a Shoreline Permit application. Exhibit 22. He argued that the County habitat biologist should be required to inspect the site and make a preliminary determination about whether the proposed improvements will impact the habitat buffer associated with Round Lake.

ii. The applicant must obtain approval from the City of Camas for the proposed one-way turnaround at the eastern terminus of Leonard Road. In the alternative, if the City does not approve the proposed one-way design, the applicant will construct a standard cul-de-sac turnaround with a retaining wall.

iii. He noted that sight distance at the intersection of Leonard Road and SR 500 is limited by overhanging vegetation. The vegetation is located within the public right of way and can be removed to provide adequate sight distance. See Exhibit 35.

b. He testified that the applicant will improve the biological function of the wetlands and stream on the site by removing the existing blackberry vines and planting additional native vegetation within the open space tract.

c. He noted that the archeological set-aside noted in Appendix A of the Staff Report is located in the adjacent Waterleaf PUD east of the site. There is no archeological set-aside on the Vintage View site. The set-aside in the Waterleaf PUD has not been altered. Therefore condition of approval A-4 is unnecessary.

d. He argued that adequate fire flow is available to serve the site. He requested the examiner modify condition of approval A-23 to that effect.

e. He requested the examiner modify condition D-3 by filling in the blanks.

f. He argued that Everett Road can accommodate the increased traffic generated by the proposed development, based on the applicant's traffic study. Exhibit 8. The traffic study included traffic generated by the high school north of the site. The applicant's traffic engineer conducted traffic counts after the high school opened. The City of Camas will install a traffic signal at the intersection of Lake Road and SR 500 (Everett Road) in the spring of 2004. The traffic signal will create additional breaks in the traffic flow on Everett Road, improving operation of the Leonard Road/SR 500 intersection.

g. He submitted proposed revisions to the transportation conditions. Exhibit 36.

h. He argued that it is not feasible to extend Leonard Road further east as proposed by neighboring residents. There is no street stub within the Waterleaf PUD east of the site that would allow extension of Leonard Road. In addition, such a road extension would require considerable grading and retaining walls to accommodate the topography in the area. Such a street connection would significantly increase the traffic on Leonard Road.

i. He testified that the applicant will install a fence and/or sign at the western end of the proposed open space trail to prevent trespass onto the adjacent property.

j. He testified that the applicant will install a gate at the intersection of the proposed private road and Leonard Road. However pedestrians will be able to walk around the gate to access the trails on the site.

4. Michael Schaeffer questioned the location of the off-site road improvements. He expressed concern that construction of the road improvements may impact Round Lake. He noted that there is a nature path around the lake that terminates near the site, and additional traffic will conflict with pedestrians crossing Leonard Road to use the

sidewalk. He testified that the new schools in the area generate significant traffic on Everett Road, causing congestion and making it very difficult to access Everett Road from Leonard Road. He expressed concern that the proposed pathway through the northern open space tract will encourage people to trespass on his property west of the site.

5. Jerry White argued that Everett Road is too congested to accommodate the additional traffic generated by the proposed development.

6. County habitat biologist Dave Howe testified that it is unclear whether the proposed off-site road improvements will impact habitat buffer or shoreline associated with Round Lake. He requested the examiner add a condition of approval requiring that the applicant obtain all required permits for the proposed road improvements.

7. County development engineer Ali Safayi noted that the site contains slopes in excess of 25-percent, based on the County's GIS topography maps. The applicant should be required to provide a geotechnical analysis of the development proposed on this site. The previous geotechnical analysis provided for the Waterleaf PUD is inadequate to address development on this site.

8. Arlene White questioned the traffic impact of the proposed development.

9. Nancy Schaeffer questioned where the proposed off-site road improvements will be located in relation to the fence on her property.

10. The examiner held the record open for two weeks to allow County staff and the public to review and respond to the new evidence submitted by the applicant. The examiner held the record open for an additional two weeks to allow the applicant to respond to any new evidence submitted by staff or the public and to submit a final argument. The record in this case closed at 5:00 p.m., September 9, 2004.

a. While the record was held open County staff submitted revised transportation conditions, Exhibit 37, and a revised habitat condition, Exhibit 39. The applicant submitted a Habitat Permit Addendum, Exhibit 38.

b. Michael and Nancy Schaeffer submitted a letter on September 13, 2004. The examiner has not considered this letter, because it was received four days after the close of the public record in this case.

C. DISCUSSION

1. County staff recommended that the examiner approve the PUD, preliminary plat and related wetlands and habitat permits based on affirmative findings and subject to conditions of approval recommended in the Staff Report and the Addendum to the Engineering Report, Exhibit 37 (the "Addendum") and Exhibit 39. The applicant accepted those recommendations, with certain exceptions.

2. The examiner concludes that the findings in the Staff Report as amended at the hearing and in subsequently introduced exhibits show that the applications do or can comply with the applicable approval standards, provided that the applicant complies with the recommended conditions of approval as amended. The examiner adopts the findings in the Staff Report, the Addendum and Exhibit 39 as his own except to the extent they are inconsistent with the following findings.

3. Neighbors expressed concern about the impact of additional traffic from the PUD on the safety of affected streets. However based on the traffic study and the testimony of county engineering staff and the standards on which they rely, the examiner finds that area roads can accommodate the additional traffic generated by this development without violating the minimum level of service standard and without causing or significantly exacerbating a traffic hazard and that the site relates to streets adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed PUD.

a. The traffic study was prepared by a licensed professional engineer based on actual traffic volumes, including traffic generated by the recently constructed high school north of the site. Future traffic volumes were estimated using accepted methods of calculation based on the type and amount of development proposed and considered traffic from all existing and approved development in the vicinity. Although neighbors' concerns about the study are reasonable, the examiner finds that it is based on reliable data and that it is consistent with generally accepted transportation engineering analysis methods.

b. The examiner acknowledges that new development brings additional traffic, and additional traffic proportionately increases the risk of accidents and congestion. However these risks are inherent in living in the urban area. They warrant greater caution by drivers and pedestrians alike, and greater supervision or instruction of children about traffic safety. But, as a result of the proposed subdivision, those risks do not rise to the level that is hazardous based on professional traffic engineering standards and practices.

c. The applicant proposed to improve the off-site section of Leonard Road to provide a minimum 20-foot paved surface and a pedestrian path on one side, separated by an extruded curb. Therefore the examiner finds that adequate road circulation exists or will be provided in the area to support the proposed development. Condition of approval A-2 should be deleted.

i. Portions of the proposed road improvements may be located within the shoreline area of Round Lake, in which case the applicant is required to obtain an approved Shoreline Permit. See condition A-5. The County can review the potential impacts of the proposed road during its review of the shoreline permit. The County habitat biologist concluded that the proposed road improvements are consistent with the Habitat Conservation Ordinance, provided the applicant implements the proposed habitat enhancement plan in Exhibits 21 and 38. See Exhibit 39. Condition of approval A-6 should be modified to that effect.

ii. The Schaeffers expressed concern that construction of the proposed off-site road improvements may impact their fence located north of the existing roadway. The applicant proposed to construct the road improvements entirely within the existing right of way. The applicant has no right to enter adjacent private property without permission from the owner. The proposed road improvements will have no impact on the Schaeffers's fence, provided the fence is located outside of the right of way. If the Schaeffers's fence is located within the public right of way, it is illegal and must be relocated.

d. The examiner finds that it is feasible to provide adequate sight distance at the intersection of Leonard Road and SR 500 (Everett Road) by removing vegetation within the right of way. See Exhibit 35. This is required by condition A-22.

e. The examiner finds that it is not feasible to extend Leonard Road to the east. The previously approved Waterleaf PUD east of the site did not provide a street stub to accommodate such an extension, because, when the County considered the application for Waterleaf, the City of Camas intended to develop the Vintage View site as a park. The City subsequently dropped the park plan, allowing the proposed development to occur. However the County cannot modify its prior approval of the Waterleaf PUD through this proceeding.

4. The examiner finds that adequate fire flows are available to serve the proposed development, based on the testimony of County staff. The applicant should be required to demonstrate that required fire flows are actually provided prior to final plat approval. Condition of approval A-23 should be modified to that effect.

5. The site does contain archaeological deposits. However the applicant's archaeological consultant concluded that the archaeological evidence on this site "do not contain important information regarding the site [and] do not have potential to be significant." See the archaeological predetermination report, attached to Exhibit 6. The State Office of Archaeology and Historic Preservation concluded that the proposed development and the adjacent Waterleaf PUD do not provide sufficient protection of the archaeological evidence on this site and recommended a number of conditions of approval. See Appendix A of the Staff Report. The applicant argued that the state misinterpreted the proposed development. The state's concerns are primarily related to the adjacent Waterleaf PUD. However there is no substantial evidence to that effect. Therefore the examiner finds that the applicant should be required to demonstrate compliance with the recommendations contained in Appendix "A", the comments from the state archaeological and historic preservation office, or provide written documentation from the state archaeological and historic preservation office that no further measures are necessary on this site. Condition of approval A-4 should be modified to that effect.

6. The examiner finds that there is no basis for concluding that residents of the proposed development will be reasonably likely to trespass if lot lines are appropriately identified. The applicant proposed to install a sign and/or fence at the western terminus of

the proposed trail in order to clearly identify the terminus of the trail and discourage trespass onto adjacent properties. A condition of approval is warranted to that effect.

D. CONCLUSIONS

Based on the above findings and discussion, the examiner concludes that PUD 2003-00010 and PLD 2003-00094 (Vintage View PUD) and related permits should be approved, because they do or can comply with the applicable standards of the Clark County Code and the Revised Code of the State of Washington, subject to the following conditions of approval which are necessary to ensure the final plat and resulting development will comply with the Code.

E. DECISION

Based on the foregoing findings and except as conditioned below, the examiner hereby approves PUD 2003-0008 and PLD 2003-0071 (Vintage View PUD) and related habitat, archaeological and other applications in general conformance with the applicant's preliminary plat (Exhibit 5) and the plans and reports associated with this proposal (Exhibits 6, 7, 8, 9, 27, 38 and 39 , except as amended by later exhibits or this final order). This approval is granted subject to the requirements that the applicant, owner or subsequent developer (the "applicant") shall comply with all applicable code provisions, laws and standards and the following conditions. These conditions shall be interpreted and implemented consistently with the foregoing findings.

Conditions of Approval

A. Conditions that must be met prior to Final Plat approval and recording; or if improvements are approved by the county for bonding or other secure method, such conditions shall be met prior to issuance of Building Permits per CCC, Sections 40.350.030(C)(4)(i) & (j) and 40.380.040N.

Land Use

A-1 The applicant shall record a covenant running with the land providing for the maintenance of the open space by a homeowners' association (or a public agency, if applicable).

A-2 DELETED

A-3 Each lot proposed must comply with all the dimensional standards in the R1-10 zoning district, except as modified by the lot configuration shown on Sheet 3 of 7 of the Vintage View Plat and Table 1 of Exhibit 6, Narrative tab, page 15. The average lot width and the average lot depth shall be 30 feet and 50 feet, respectively, and the minimum lot area shall be 3,400 square feet.

A-4 The applicant shall demonstrate compliance with the recommendations contained in Appendix "A" or provide written documentation from the state archaeological and historic preservation office that no further measures are necessary on this site.

Shoreline

- A-5** The applicant shall obtain a shoreline permit prior to final plat recording for any development proposal that impacts Round Lake's Shoreline Conservancy Zone.

Habitat

- A-6** The applicant shall implement Exhibits 21 and 38, the "Preliminary Habitat Buffer Enhancement Plan" and the "Habitat Permit Addendum – Vintage View" submitted by The Resource Company, Inc. and dated July 9 and August 27, 2004.
- A-7** A copy of this mitigation plan shall be available on site during construction, for inspection by Clark County development inspection personnel.
- A-8** All requisite mitigation shall be installed prior to Final Plat approval, unless otherwise postponed through the establishment of a performance/maintenance bond, escrow account, or other financial guarantee acceptable to the Planning Director.
- A-9** The applicant shall monitor and replace as necessary the habitat plantings for a period of five (5) growing seasons in order to ensure adequate survival and blackberry suppression.
- A-10** All Himalayan blackberries shall be removed prior to installation of the required habitat plantings and be periodically removed from the planting area for the life of the 5-year plant-monitoring period.
- A-11** Signage of the reduced habitat boundaries shall be in place prior to initiating any groundbreaking activity.
- A-12** Locations of signage surrounding planting sites and habitat areas shall be clearly identified in the Engineering Construction Plans set.
- A-13** All habitat mitigation planting details shall be included on the Engineering Construction Plans set.
- A-14** Signage shall be posted along the habitat boundaries at an interval of one (1) per lot or every one hundred (100) feet, whichever is less, and be perpetually maintained by the homeowners in such a manner so as to sufficiently identify and protect habitat functionality.
- A-15** In addition to the signage along the lot boundaries, the applicant shall post signs at 200-foot intervals along the walking path that inform pedestrians or pet owners; "Habitat Conservation Area -- please stay on the trail."
- A-16** As indicated on the proposed preliminary plat, the applicant shall protect all trees within the riparian HCZ including no grading (cuts or fills) within the drip-line of protected trees.

- A-17** The applicant shall enter all remaining acreage within the reduced riparian HCZ and the habitat enhancement/compensation areas into a Habitat Conservation Covenant prior to Final Plat approval.
- A-18** The applicant shall install signs and/or a fence at the western terminus of the trail within Tract B to clearly identify the terminus of the trail and discourage trespass onto adjacent property.

Transportation

- A-19** The volunteered improvements to the off-site portion of SE Leonard Road shall consist of 20-foot wide road section and an extruded curb and a 5-foot sidewalk on the north side.
- A-20** A 20-foot wide paved roadway on either side of the proposed island at southerly end of the private road "A" shall be provided to facilitate the emergency vehicle access. Additional easement shall be provided accordingly.
- A-21** The project shall install a driveway approach similar to that shown in Standard Details Manual, Drawing #F17 to separate the private road "A" from SE Leonard Road.
- A-22** The existing driveway approaches to the residences at the easterly terminus of SE Leonard Road shall be reconstructed.
- A-23** The applicant shall submit a letter signed by an authorized WSDOT staff person indicating that the requirements for sight distance and improvements at the intersection of SE Leonard Road and SR-503 are satisfied.
- A-24** The applicant shall submit evidence verified by a licensed engineer in the State of Washington that the sight distance triangles for all the access points and all the intersections meet the minimum requirements and that the sight distances will remain unobstructed after completion of the project.
- A-25** The applicant shall obtain approval for the proposed one-way turnaround at the terminus of SE Leonard Road from the City of Camas approval authority or install a standard cul de sac turnaround.

Geologic Hazard

- A-26** The project shall implement all the recommendations of the geotechnical investigation report dated April 15, 2004, prepared by West Coast Geotech, Inc., unless further studies present new or different facts. The plans for site grading, road construction, and placement of utilities shall be reviewed by a geotechnical engineer during the final design phase and the work shall be monitored during construction by a geotechnical engineer or his/her designee.

Floodplain

- A-27** The applicant shall submit a request for floodplain inquiry for the road improvement work along SE Leonard Road, and if applicable, obtain a flood plain permit prior to the approval of grading and/or construction plans.

Stormwater and Erosion Control

- A-28** The BMP being proposed may be used subject to a monitoring program under the County requirements of an Experimental BMP.
- A-29** The monitoring program of this BMP is mandatory and will use the adjacent wet pond located in the Waterleaf PUD as a baseline to determine the effectiveness of the BMP.
- A-30** Since the system is experimental technology, the plan would require a 2-year effectiveness study with a published paper at the conclusion. The effectiveness monitoring would need to be conducted by a consultant from Stormwater Management and contract with them for the testing at the developer's expense. Two copies of the results of this testing shall be mailed to the County; One (1) to Richard Drinkwater, Engineering Services Supervisor, and the other to Jeff Schnabel, Water Resources Specialist, Clark County Public Works.
- A-31** A backup system of equivalent size to the proposed system shall be set aside to contain an additional filter system, if and when needed. In the event that the existing experimental system fails or is ineffective, the filter media shall be modified to include an appropriate filter media to meet the county's nutrient control requirements.
- A-32** An offsite analysis extending a minimum of one-fourth of a mile downstream from the development site in compliance with the provisions of Section CCC13.29.305 (B) and an analysis for capacity of the downstream system shall be included in the technical information report (TIR).

Fire Protection

- A-33** The applicant shall demonstrate that required fire flows in the amount of 1,000 gallons per minute supplied for 60 minutes duration are provided to the site. Additions to water mains supplying fire flow and fire hydrants shall be installed, approved and operational prior to final plat approval.
- A-34** Fire hydrants are required for this application. The applicant shall provide fire hydrants such that the maximum spacing between hydrants does not exceed 700 feet and such that no lot or parcel is in excess of 500 feet from a fire hydrant as measured along approved fire apparatus access roads.
- A-35** Unless waived by the fire district chief fire hydrants shall be provided with appropriate 'storz' adapters for the pumper connection. The local fire district chief approves the exact locations of fire hydrants. As a condition of approval, contact the Vancouver Fire Department at 360-696-8166 to arrange for location approval.

The applicant shall provide and maintain a six-foot clear space completely around every fire hydrant.

Health Department

A-36 If underground storage tanks exist on the property, they must be identified and decommissioned in place consistent with the Uniform Fire Code under permit from the Fire Marshal. Any leaks or contamination must be reported to Washington State Department of Ecology, and proof of removal or abandonment (of the tank) must be submitted to the Health Department prior to final plat recording.

B. Conditions that must be met prior to issuance of Building Permits

Fire Protection

B-1 Building construction occurring subsequent to this application shall be in accordance with the provisions of the county's building and fire codes. Additional specific requirements may be made at the time of building construction as a result of the permit review and approval process, (see condition of approval B-2).

Impact Fees

B-2 "In accordance with CCC 18.65, school impact fee for each of the 30 new single-family attached dwellings in this subdivision is:

- School Impact Fees: \$1,000.00 (for Camas School District).

If a building permit application is made more than three years following the date of preliminary plat approval, the impact fees shall be recalculated according to the then-current ordinance rate.

C. Conditions that must be met prior to issuance of Occupancy Permits

Landscaping

C-1 The applicant shall implement the landscaping plan identified as Sheet 6 of 7 on Exhibit 5, and attached to this report.

Fire Protection

C-2 Fire apparatus access is required for this application. The roadways and maneuvering areas as indicated in the application shall meet the requirements of the Clark County Road Standard. The applicant shall provide an unobstructed vertical clearance of not less than 13.5 feet, with an all weather driving surface capable of supporting the imposed loads of fire apparatus.

C-3 Approved fire apparatus turnarounds are required for this project. The provisions for turning around fire apparatus comply with the Clark County Road Standard.

D. Notes Required on Final Plat

The following notes shall be placed on the final plat:

D-1 Archaeological:

"If any cultural resources are discovered in the course of undertaking the development activity, the Office of Archaeology and Historic Preservation in Olympia and Clark County Community Development shall be notified. Failure to comply with these State requirements may constitute a Class C Felony, subject to imprisonment and/or fines."

D-2 Mobile Homes:

"Placement of Mobile Homes is prohibited."

D-3 Impact Fees:

"In accordance with CCC 18.65, School Impact Fee for each of the 30 townhouses in this subdivision is: \$1,000.00 (for Camas School District).

The impact fees for lots on this plat shall be fixed for a period of three years, beginning September 23, 2004 and expiring on September 23, 2006. Impact fees for permits applied for following said expiration date shall be recalculated using the then-current regulations and fees schedule."

D-4 Sidewalks:

"Prior to issuance of occupancy permits, sidewalks shall be constructed along all lots as noted. Sidewalks considered to be the responsibility of the developer, shall be constructed prior to final plat approval."

D-5 Utilities:

"An easement is hereby reserved under and upon the exterior six (6) feet at the front boundary lines of all lots for the installation, construction, renewing, operating and maintaining electric, telephone, TV, cable, water and sanitary sewer services. Also, a sidewalk easement, as necessary to comply with ADA slope requirements, shall be reserved upon the exterior six (6) feet along the front boundary lines of all lots adjacent to public streets."

D-6 Critical Aquifer Recharge Areas:

"The dumping of chemicals into the groundwater and the use of excessive fertilizers and pesticides shall be avoided. Homeowners are encouraged to contact the State Wellhead Protection program at (206) 586-9041 or the Washington State Department of Ecology at 800-RECYCLE for more information on groundwater /drinking supply protection."

D-7 Erosion Control:

"Building Permits for lots on the plat shall comply with the approved erosion control plan on file with Clark County Building Department and put in place prior to construction."

D-8 Deleted

D-9 Private Roads:

"Clark County has no responsibility to improve or maintain the private roads contained within or private roads providing access to the property described in this plat. Any private access street shall remain a private street unless it is upgraded to public street standards at the expense of the developer or adjoining lot owners to include hard surface paving and is accepted by the County for public ownership and maintenance."

D-10 Sidewalks:

"Prior to issuance of occupancy permits, sidewalks shall be constructed along all the respective lot frontages."

D-11 Erosion Control:

"Building Permits for lots on the plat shall comply with the approved erosion control plan on file with Clark County Building Department and put in place prior to construction."

D-12 Driveways:

"All residential driveway approaches entering public roads are required to comply with CCC 12.05A."

D-13 Privately Owned Stormwater Facilities:

"The following party or parties is/are responsible for long-term maintenance of the privately owned stormwater facilities: The Home owners of Vintage View Subdivision."

E. Standard Conditions

This development proposal shall conform to all applicable sections of the Clark County Code. The following conditions shall also apply:

Land Division:

E-1 Within 5 years of preliminary plan approval, a Fully Complete application for Final Plat review shall be submitted.

Water Wells and Septic Systems:

E-2 Submittal of a "Health Department Evaluation Letter" is required as part of the Final Construction Plan Review application. If the Evaluation Letter specifies that an acceptable "Health Department Well/Septic Abandonment Letter" must be submitted, the Evaluation Letter will specific the timing of when the Final Approval Letter must be submitted to the county (e.g., at Final Construction Plan Review, Final Plat Review or prior to occupancy).

Final Construction Plan Review:

E-3 Transportation:

Prior to construction, the applicant shall submit and obtain County approval of a final transportation design in conformance to CCC 12.05A.

E-4 Stormwater:

Prior to construction, the applicant shall submit and obtain County approval of a final stormwater plan designed in conformance to CCC 13.29.

E-5 Pre-Construction Conference:

Prior to construction or issuance of any grading or building permits, a pre-construction conference shall be held with the County.

E-6 Erosion Control:

Prior to construction, the applicant shall submit and obtain County approval of a final erosion control plan designed in accordance with CCC 13.29.

E-7 Erosion Control:

A copy of the approved erosion control plan shall be submitted to the Chief Building Official prior to final plat recording.

E-8 Erosion Control:

Prior to construction, erosion/sediment controls shall be in place. Sediment control facilities shall be installed that will prevent any silt from entering infiltration systems. Sediment controls shall be in place during construction and until all disturbed areas are stabilized and any erosion potential no longer exists.

E-9 Erosion Control:

Erosion control facilities shall not be removed without County approval.

E-10 Excavation and Grading:

Excavation/grading shall be performed in compliance with Appendix Chapter 33 of the Uniform Building Code (UBC).

E-11 Excavation and Grading:

Site excavation/grading shall be accomplished, and drainage facilities shall be provided, in order to ensure that building foundations and footing elevations can comply with CCC 14.04.252.

E-12 Landscaping:

Prior to recording the final plat, the applicant shall submit a copy of the approved landscape plan(s) for any public right-of-way (if applicable) with a letter signed and stamped by a landscape architect licensed in the state of Washington certifying that the landscape and irrigation (if any) have been installed in accordance with the attached approved plan(s) and verifying that any plant substitutions are comparable to the approved plantings and suitable for the site.

DATED this _____ day of September, 2004.

Larry Epstein, AICP
Clark County Hearings Examiner